

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

TONY NIVONGSO,

Defendant.

CASE NO. 2-19-cr-00323-RFB-NJK-1

**VIDEO TELECONFERENCE &
TELEPHONE CONFERENCE
APPEARANCE ORDER**

In Response to General Order 2020-5 by the Chief Judge of this District in which she has specifically authorized video teleconferences and telephone conferences pursuant to Section 15002(b) of the CARES Act, this Court has reviewed the record in this case and finds pursuant to Section 15002(b) that delay of the Evidentiary Hearing until an in-person hearing can be safely arranged would do harm to the interests of justice as the Defendant could be subject to a longer period of pretrial detention and incarceration.

Accordingly,

IT IS ORDERED that a Video *Evidentiary Hearing re: [24] MOTION to Suppress*, as to defendant only, is set for **October 27, 2020 at 10:00 AM** in LV Courtroom 7C before Judge Richard F. Boulware, II.

IT IS FURTHER ORDERED that the parties shall submit any relevant written submissions, including but not limited to stipulations, motions, plea documents, waivers or sentencing memoranda, regarding this hearing at least **ONE DAY** prior to the hearing set in this Order. If such a submission is a sentencing memorandum, the parties shall include their own position on the criminal history of the individual to be sentenced.

IT IS FURTHER ORDERED that members of the public seeking to have access to this hearing must, prior to the day of the hearing, contact the Court by email to request access to and receive permission to listen this hearing by telephone. Members of the public granted such access must join the remote proceedings prior to their official commencement. Once a remote proceeding has begun, no access will be granted to the proceeding.

IT IS FURTHER ORDERED that no one or entity or organization, including but not limited to counsel, counsel's agents or staff, the Defendant, law enforcement agents/officers, members of the public, who participate in or listen to this proceeding may record it in any manner. Any individual, entity or organization that records this proceeding without written authorization of the Court shall be subject to civil and/or criminal contempt penalties by this Court.

IT IS FURTHER ORDERED that defense counsel shall provide all necessary documents to the defendant in advance of the hearings, including the **waiver of in person appearance form attached** to this order.

IT IS FURTHER ORDERED that defense counsel shall contact the Courtroom Administrator at "blanca_lenzi@nvd.uscourts.gov" or (702) 464-5470 with information on how the defendant will participate in the video conference. If the defendant will be appearing at the hearing using his/her own equipment, the defense counsel must confirm with the Courtroom Administrator that the defendant's equipment is compatible with the Court's conference technology. Defense counsel must also provide the defendant's email address to facilitate the remote connection and the defendant's phone number in the event of any technical difficulties.

IT IS FURTHER ORDERED that the parties shall file any necessary signed documents at least ONE (1) Day prior to the scheduled hearing consistent with General Order 2020-05.

DATED: October 25, 2020.

A handwritten signature in black ink, consisting of a stylized 'R' and 'B' intertwined.

RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE